



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

131057
MAY 2 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In Reply Refer to: 3HW12

Mr. Donald Beall, Chief Executive Officer
Rockwell International Corporation
2230 East Imperial Highway
El Segundo, CA 90245

Re: Recticon/Allied Steel Corp. Superfund Site
Parkerford, PA

Dear Mr. Beall:

The Environmental Protection Agency (EPA), by this letter, notifies you that Rockwell International Corporation is a Potentially Responsible Party (PRP) for contamination at the Recticon/Allied (Parkerford TCE) Site (the "Site"). EPA records show that the Site is presently contaminated with hazardous substances including but not limited to trichloroethylene (TCE) and 1,2-dichloroethene. Analytical results also show that these hazardous substances have been released into the groundwater from the Site.

EPA has determined that action at the site is necessary. EPA encourages Rockwell's participation in the activities described below. As further described below, EPA hereby requests that Rockwell notify EPA, within fourteen (14) calendar days of receipt of this letter, whether it is interested in participating in this project. If we do not hear from Rockwell by that time, EPA will assume that Rockwell will not participate in the project.

Under Sections 106(a) and 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9601 et seq. (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, Public Law 99-499, 100 Stat. 1613 (October 17, 1986) (SARA), responsible parties may be obligated to implement any necessary response actions as determined by EPA and may also be liable for all costs incurred by the government in responding to any release or threatened release of hazardous substances at the Site. Such costs can include, but are not limited to, expenditures for investigation, planning, cleanup of the Site, and enforcement.

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Under Section 107(a) of CERCLA, responsible parties include: 1) present owners or operators of the Site; 2) owners or operators at the time of disposal; 3) any person who arranged for disposal or treatment of hazardous substances at the Site; 4) generators and, 5) transporters of hazardous substances to the Site. EPA's records indicate that Rockwell's former subsidiary, Recticon Corporation, was an operator at the Site from 1974 to 1981.

The EPA has expended public funds to investigate releases of hazardous substances at the Recticon/Allied Site. EPA may spend additional public funds on action to further investigate and control these releases. Unless EPA determines that a PRP will properly perform such actions, EPA intends to do so pursuant to Section 104 of CERCLA and the National Contingency Plan (NCP), 40 C.F.R. Section 300.68.

Specifically, EPA is planning to conduct the following studies at the Site unless an acceptable agreement can be reached:

1. Remedial Investigation (RI) - Further investigations to define the nature and extent of soil, air, ground water, surface water and sediment contamination at the Site, and to identify the local hydrogeological characteristics and impact on biotic receptors at the site; and

2. Feasibility Study (FS) - A study to evaluate potential remedial alternatives with emphasis on risk reduction through actions that utilize treatment to permanently and significantly reduce the toxicity, mobility, or volume of hazardous substances, pollutants, or contaminants.

In addition to the above studies, Rockwell may be asked at a later date to undertake, or may be liable for, any additional corrective measures necessary to protect public health, welfare, or the environment. Such measures may include, but are not limited to:

1. Implementing emergency removal actions, e.g., securing the site to prevent contact with any hazardous substances that may be present at the Site and/or removal of contaminated material from the surface of the Site;

2. Implementing non-time critical removal actions when the Agency decides to implement a cleanup that does not require extensive study. This type of action must be clearly defined and limited in scope and duration;

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3. Designing and implementing the EPA-approved remedial option; and

4. Providing any monitoring and maintenance necessary after remedial measures are completed.

EPA will consider an immediate offer from Rockwell, either alone or in concert with other PRP's, to conduct (under supervision) the RI/FS described above in accordance with a work plan consistent with the enclosed RI/FS guidance. Under Section 104(a) of CERCLA, a determination must be made that the responsible parties are qualified to conduct the RI/FS, will promptly and properly complete the same and agree to reimburse the government for any costs incurred by or in connection with the RI/FS in order to allow the PRP to undertake such action. Alternatively, Rockwell may fund an EPA-directed RI/FS. Any agreement to perform or fund all or part of the RI/FS will be embodied in a Consent Order under Section 104 or 106 of CERCLA. A model Consent Order is enclosed for your information.

EPA would like to encourage good faith negotiations between your company and the Agency and between your company and the other PRPs. To facilitate these negotiations, the names of the other PRPs have been revealed to you in the enclosed responsible party list. The Agency requests that you schedule meaningful discussions with the other PRPs regarding all issues pertinent to the Site and quickly organize yourselves into a single representative body to facilitate negotiations with the Agency.

If Rockwell should decide to participate in the RI/FS process, it should indicate that interest in a letter to the EPA official identified below within fourteen (14) calendar days of receipt of this letter. Your letter should indicate the appropriate name, address, and telephone number for further contact by EPA. If we do not hear from Rockwell by that time, EPA will assume that Rockwell declines any involvement in the RI/FS and will proceed with the appropriate studies and any response actions needed to secure the site. EPA may later invite Rockwell to undertake the design and implementation of the selected remedy upon the Agency's completion of the RI/FS. If Rockwell is already involved in discussions with State or local officials, engaged in voluntary action, or involved in a lawsuit regarding this site, you should not interpret this letter to advise or direct Rockwell to restrict or discontinue any such activities. On the other hand, this letter should not be interpreted as endorsing any such efforts. You should report, however, the status of those discussions or that action in your letter to us. You should also be aware that this site is currently proposed for inclusion on the National Priority List (NPL). Once the site is placed on the NPL, it cannot be delisted until after an RI/FS

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has been completed and the necessary remedial work concluded in accordance with the enclosed RI/FS guidance and EPA's National Contingency Plan.

Your response should be addressed to:

David G. Byro (3HW12)
Hazardous Waste Management Division
U.S. Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, PA 19107

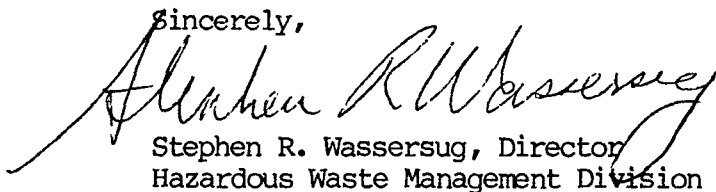
Should Rockwell provide the expression of willingness to conduct or participate in the RI/FS as described above, EPA will refrain from expending funds for the Site for a period of time so that meaningful discussions concerning a Consent Order can take place.

In addition, under Section 122(e) of SARA, responsible parties may be extended the opportunity to present a good faith proposal to conduct the RI/FS to the Agency within sixty (60) days of receipt of a "special notice" letter. A special notice letter may be forwarded to you at such time that the Agency determines that such notice would facilitate an agreement and expedite remedial action.

The factual and legal discussions contained in this letter are intended solely for notification and information purposes. They are not intended to be, and cannot be relied upon as, a final Agency position on any matter set forth herein.

If you have any questions regarding the foregoing, please do not hesitate to contact David G. Byro of my staff at (215) 597-8250.

Sincerely,



Stephen R. Wassersug, Director
Hazardous Waste Management Division

Enclosures: PRP List, location map, Model Consent Order, EPA RI/FS Guidance

cc: Richard L. Reisenweber
Rockwell International Corporation
James P. Snyder, (PADER)
Alicia Coreley, (OWPE)

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